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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/237,099	01/25/1999	ROBERT D. GLASER	REALNET.001C	9619

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EXAMINER	
VAUGHN JR, WILLIAM C	

ART UNIT	PAPER NUMBER
2143	25

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

FILE COPY

Notice of Allowability

Application No.	Applicant(s)	
09/237,099	GLASER ET AL.	
Examiner	**Art Unit**	
William C. Vaughn, Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *25 March 2004*.

2. ☒ The allowed claim(s) is/are *49-88. Renumbered 1-40*.

3. ☒ The drawings filed on *29 October 2002* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10, 22
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *23* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

William C. Vaughn, Jr.
Patent Examiner
AU 2143

Amdt F
23
T.D.
04/27/05

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason Klindtworth, Reg. No. 47,211 on 26 April 2004. Furthermore, Steven Stewart, Reg. No. 33,555 on 12 January 2005, also gave authorization.

IN THE SPECIFICATION

Please amend the specification as follows on page 1, lines 4 and 5:

F1

--The present invention is a continuation of U.S. Patent No. 5,793,980, filed on November 30, 1994.--

IN THE CLAIMS

Please cancel claims 16-21 and 29 without prejudice or disclaimer.

Please amend claims 49-56, 58-77 and 81-84 as follows:

F2

49. (Currently Amended) A client networked device for connection with one or more remote computers providing delivery of digital encoded audio data and related metadata via a communication network, said related metadata is synchronized to said digital encoded audio data, the client networked device comprising:

a first and a second data buffer to store the digital encoded audio data and related metadata, respectively; and

a processor communicatively coupled with the data buffers and a computer readable storage medium;

said computer-readable storage medium operative to contain one or more unique file identifiers related to one or more locations or addresses in a memory of the one or more remote computers' ~~memory~~ where the digital encoded audio data and related metadata is stored, said unique file identifiers being capable of being displayed by the client networked device and of being selected using an input device coupled to the client networked device, said processor operative in response to a selection of a unique file identifier to generate a request via the communication network to receive digital encoded audio data and related metadata from the one or more locations or addresses in the memory of the ~~remote computers' memory on~~ one or more remote computers where said digital encoded audio data and related metadata is stored, said data buffers operative, in response to a receipt of the request to receive digital encoded audio data and related metadata from the one or more locations or addresses in the memory of the ~~remote computers' memory on the~~ one or more remote computers, to store digital encoded audio data and the related metadata received via the communication network, and said processor further operative to decode the received digital encoded audio data and related metadata and render said decoded digital audio data and related metadata on the client networked device during receipt of at least the digital encoded audio data.

50. (Currently Amended) The client network device as recited in Claim ~~49~~ 1 wherein said digital encoded audio data includes streamed audio data, and wherein said streamed audio data is received by one of the data buffers via the communications network in a packetized format.

51. (Currently Amended) The client network device as recited in Claim ~~49~~ 1 wherein said metadata is rendered by the processor on the client networked device while said decoded digital audio data is rendered.

52. (Currently Amended) The client network device as recited in Claim ~~49~~ 1 wherein said digital encoded audio data includes a compressed audio data file that is stored on said one or more ~~of said~~ remote computers.

53. (Currently Amended) The client network device as recited in Claim ~~49~~ 1 wherein said selected unique file identifier facilitates access to one or more locations within the memory of the one or more remote computers' ~~memory~~ and wherein the memory is a computer-readable storage medium.

54. (Currently Amended) The client network device as recited in Claim ~~49~~ 1 wherein said unique file identifier includes an address representing a location of said digital encoded ~~digital~~ audio data, and wherein said unique file identifier is received into a memory of the client networked device from a remote server having a different network address from the one or more remote computers.

55. (Currently Amended) The client network device as recited in Claim ~~49~~ 1 further comprising a menu stored on the computer-readable storage medium operative to indicate addresses of a plurality of digital encoded audio where audio data is stored on the one or more remote

computers, and a module operative to receive a signal from the input device to change an indication of the one or more addresses of the plurality of digital encoded audio data.

56. (Currently Amended) The client network device as recited in Claim 49 wherein said processor is operative to regulate a rate with which the digital encoded audio data is being received from ~~the~~ a remote server using TCP/IP.

58. (Currently Amended) A method of receiving a digital encoded audio data files for use on a client networked device coupled with one or more remote computers delivering digital encoded audio data file and related metadata via a communications network, said related metadata is synchronized to said digital encoded audio data, the method comprising:

displaying on the client networked device a unique file identifier used to access:

(a) a location or address where the digital encoded audio data file is stored in a memory storage device coupled with the one or more ~~of the~~ remote computers, and

(b) a location or address where the related metadata is stored in a memory storage device coupled with the one or more ~~of the~~ remote computers;

receiving a selection of the displayed unique file identifier used to access a location or address where the digital encoded audio data file is stored and used to access a location or address where the related metadata is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers in response to using an input device coupled with the client networked device;

generating on the client networked device, as a result of the receiving of the selection of the displayed unique file identifier, a request to the one or more remote computers via the communications network to receive the digital encoded audio file and

related metadata from said location or address where the digital encoded audio data file is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers and from said location or address where the related metadata is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers;

receiving by the client networked device, as a result of the generated request, via the communications network: (a) the digital encoded audio data file from said location or address where the digital encoded audio data file is stored in the memory storage device coupled with the one or more remote computers, and (b) the related metadata from said location or address where the related metadata is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers;

storing at least a portion of the digital encoded audio data file and related metadata respectively into a first and second data buffer;

decoding at least a portion of the stored digital encoded audio data file and rendering at least a portion of the decoded stored digital encoded audio data file on the client networked device during the receiving of the digital encoded audio data file from said location or address where the digital encoded audio data file is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers.

59. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 58 further comprising including video data with the digital encoded audio data, and receiving the video data within one of the data buffers via the communications network in a packetized format.

60. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 58 further comprising including streamed audio data with the digital encoded audio data, and receiving the streamed audio data within one of the data buffers via the communications network in a packetized format.

61. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 58 further comprising including with said digital encoded audio data file a compressed audio data file and related metadata; storing the compressed audio data file and the metadata on the client networked device; and rendering the metadata on the client networked device while receiving the digital encoded audio data file.

62. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 58 further comprising relating said unique file identifier to a location on the one or more remote computers by using the unique file identifier to access the locations within the memory of the one or more remote computers, and using a computer-readable storage device as the memory on the one or more remote computers.

63. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 58 further comprising receiving the unique file identifier from a remote networked server having a different network address from the one or more remote computers, and storing said unique file identifier into a memory of the client networked device upon receipt thereof.

64. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 58 further comprising storing, on the computer-readable storage device of the client networked device, a menu of multiple unique file identifiers used to indicate addresses of a plurality of digital encoded audio where audio data is stored on the one or more ~~one of the~~ remote computers,

receiving on the client networked device a signal from the input device, and changing a display of the multiple unique file identifier used to access the addresses of the plurality of digital encoded audio files in response to receipt of the signal.

22 65. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in Claim 14 ~~58~~ further comprising regulating a rate with which the digital encoded audio data files are being received from a remote server using TCP/IP.

16 66. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in claim 17 ~~59~~ further comprising encoding the digital audio data file using compression; and decoding the digital encoded audio using decompression with a random access memory coupled with the client networked device.

23 67. (Currently Amended) The method of receiving ~~an~~ digital encoded audio data file as recited in claim 14 ~~58~~ further comprising rendering the encoded audio data file by decoding the digitally encoded data file using an audio driver stored in a memory on the client networked device while the digital encoded audio data file is being received from the one or more remote computers.

24 68. (Currently Amended) A computer readable medium having instructions for use in a single media player application, the instructions when executed by a processor in a client networked device, for receiving digital encoded audio data and related metadata via a communication network, said related metadata is synchronized to said digital encoded audio data, the client networked device ~~comprise~~ comprising:

displaying on the client networked device a unique file identifier related to one or more locations or addresses where digital encoded audio data and related metadata are stored in a memory storage device coupled with one or more remote computers;

receiving a selection of the displayed unique file identifier related to the one or more locations or addresses where the digital encoded audio data and related metadata are stored in the memory storage device coupled with the one or more ~~of the~~ remote computers, the selection received via an input device coupled with the client networked device;

generating on the client networked device, as a result of the receipt of the selection of the displayed unique file identifier, a request to at least one ~~the one~~ of the remote computers via a communications network to receive digital encoded audio and related metadata from said one or more locations or addresses where the digital encoded audio data and related metadata is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers;

receiving by the client networked device, as a result of the generated request and via the communications network, the digital encoded audio data and related metadata from said one or more locations or addresses in the memory storage device coupled with the one or more ~~of the~~ remote computers; and

storing at least a portion of the received digital encoded audio data and related metadata respectively into a first and second data buffer; and

decoding at least a portion of the stored digital encoded audio data and rendering at least a portion of the decoded and stored digital encoded audio data and related metadata on the client networked device during the receiving of the digital encoded audio data from said one

or more locations or addresses where the digital encoded audio data is stored in the memory storage device coupled with the one or more ~~of the~~ remote computers.

29 ~~69~~. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 28 ~~68~~, wherein the instructions when executed by a processor in a client networked device further comprise: including video data with the digital encoded audio data, and receiving the video data within one of the data buffers via the communications network in a packetized format.

30 ~~70~~. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 28 ~~68~~, wherein the instructions when executed by a processor in a client networked device further comprise: including streamed audio data with the digital encoded audio data, and receiving the streamed audio data within one of the data buffers via the communications network in a packetized format.

31 ~~71~~. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 28 ~~68~~, wherein the instructions when executed by a processor in a client networked device further comprise: including with said digital encoded audio data a compressed audio data file; and storing compressed audio data files with related metadata on the one or more ~~of said~~ remote computers.

32 ~~72~~. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 28 ~~68~~, wherein the instructions when executed by a processor in a client networked device further comprise: relating said unique file identifier to a location on the one or more ~~of the~~ remote computers by using the unique file identifier to access the

locations within the memory of the one or more remote computers, and using a computer-readable storage device as the memory on the one or more remote computers.

73. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 68, wherein the instructions when executed by a processor in the client networked device further comprise: receiving into the client networked device via the communication network, the unique file identifier from a remote networked server having a different network address from the one or more remote computers, and storing said unique file identifier into the memory of the client networked device upon receipt thereof.

74. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 68, wherein the instructions when executed by a processor in a client networked device further comprise: storing a menu of multiple unique file identifiers used to indicate addresses of a plurality of digital encoded audio data where audio data is stored on the one or more ~~of the~~ remote computers; receiving on the client networked device a signal from the input device; and changing a display of the multiple unique file identifiers that are used to access the addresses of the plurality of digital encoded audio files in response to receipt of the signal.

75. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 68, wherein the instructions when executed by a processor in a client networked device further comprise decoding the digital encoded audio data using decompression with a random access memory coupled with the client networked device.

76. (Currently Amended) The computer readable medium having instructions for use in a single media player application as recited in claim 68, wherein the instructions when executed by

a processor in a client networked device further comprise: rendering the digital encoded audio data file by decoding the digitally encoded data file using an audio and/or video driver stored in a memory on the client networked device while the digital encoded audio data file is being received from the one or more remote computers.

77. (Currently Amended) The client network device as recited in Claim 49 wherein said digital encoded audio data includes video data with the digital encoded audio data, and wherein the video data is received within one of the data buffers via the communications network in a packetized format.

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81. (Currently Amended) The method of receiving an digital encoded audio data file as recited in Claim 58, wherein the first and second data buffers are defined within a memory storage device coupled to the client networked device.

82. (Currently Amended) The method of receiving an digital encoded audio data file as recited in Claim 81 wherein the first data buffer is defined within a first range of memory addresses within the memory storage device and the second data buffer is defined within a second range of memory addresses within the memory storage device.

83. (Currently Amended) The method of receiving an digital encoded audio data file as recited in Claim 81, wherein the digital encoded audio data file and related metadata are received into the first and second data buffers, respectively.

84. (Currently Amended) The method of receiving an digital encoded audio data file as recited in Claim 58, wherein the digital encoded audio data is received from a first of the one or more remote computers and the related metadata is received from a second of the one or more remote computers.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: the closet prior art of record (Yurt et al., U.S. Patent No. 5,132,992) does not teach nor suggest in detail the significant events within the metadata being synchronized with and related to the digital encoded audio data in combination with all the elements of each independent claim as argued by the Applicant (see paper 19, page 16 and paper 21, pages 2 and 3, as well as pages 5, lines 12-20, pages 35, lines 13-32, page 36, lines 1-31, page 37, lines 1-31 and page 38, lines 1-14 of Applicant's enabling portions of the specification). Yurt only teaches generic synchronization between the audio and video data. Whereas, as stated above, Applicant's claimed invention states that the metadata is synchronized to the digital encoded audio data. Furthermore, Applicant's enabling portions further stated that, the audio control center is able to transmit metadata such as text. Captions, still images, a table of pertinent, which is synchronized to, the transmitted audio data. This data is displayed and updated in synchronism with the transmitted audio data, which is currently being played back. So as indicated by the above statements, Applicant's arguments have been considered persuasive, in light of the claim limitations as well as the enabling portions of the specification.

3. The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

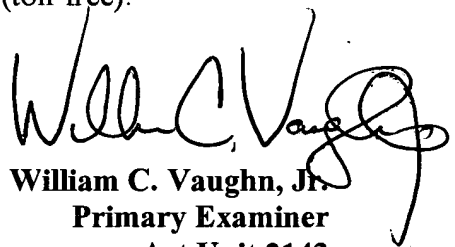
4. **Claims 49-88** are allowed.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (703) 306-9129. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143
06 April 2005